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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,361	09/16/2003	Fumitaka Goto	00862.023234.	9417
5514 7590 05/28/2008 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER DHINGRA, PAWANDEEP				
ART UNIT 2625		PAPER NUMBER		
MAIL DATE 05/28/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 10/662,361	Applicant(s) GOTO ET AL.
Examiner PAWANDEEP S. DHINGRA	Art Unit 2625

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 April 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-8 and 10-16.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625

/P. D./
Examiner, Art Unit 2625

Continuation of 3. NOTE: The proposed amendments to claims 1, 8, 10, 11, and 16 does not place the application in better condition for allowance or in better form for appeal.

In particular, Claim 1 has been amended to incorporate the limitations of both claims 2 & 3. The amended claim 1 essentially recites the same limitations as presented and rejected previously in claims 1-3. Since, both claims 2 & 3 were previously dependent upon claim 1, the dependent claims 4-7 would require further consideration due to change in scope of amended claim 1. Claims 8, and 10 essentially recite same limitations as claim 1.

Claims 11, and 16 recite the limitation "the input image data stored in a memory area which is used in at least one of the first and second processes", this limitation has not been presented previously and would require further consideration and/or search.

Continuation of 11. NOTE: Applicant's arguments filed 4/14/2008 have been fully considered but they are not persuasive.

With respect to applicant's arguments, on pages 9-10, that both Uekusa and Tachibana fail to disclose "corrector acquires the feature amount from data of a representative value group of the image data stored in the memory area, and then releases the memory area storing the representative value group, before execution of the first correction and before execution of the second correction is completed for the entire image data" as recited in claim 1.

In reply, examiner asserts that Uekusa et al. discloses corrector acquires the feature amount from a representative value group of image data (see abstract, and figure 12 with corresponding text) stored in the memory area (see fig. 1-4, claim 7 & paragraph 31-35, 83, 96, 130-138, 149, note that source profile, table, and input image data are stored in memory) before execution of the first correction and before execution of the second correction is completed for the entire image data (see figs. 1-3, claim 7, abstract, and paragraphs 30-37, 83, 130-138).

Uekusa fails to disclose releasing the memory area storing the representative value group, before execution of image processing is completed for the entire image data.

However, Tachibana et al. teaches acquiring the feature amount from image data stored in the memory area and then releasing the memory area storing the image data, before execution of image processing is completed for the entire image data (see figures 1-3, 6-9, abstract, claim 1, column 1, lines 10-60, column 3, line 55-column 6, line 11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention to modify the image processing method & apparatus as disclosed by Uekusa to include the memory management (releasing) techniques as taught by Tachibana in order to have the corrector acquire the feature amount from data of a representative value group of the image data stored in the memory area, and then release the memory area storing the representative value group, before execution of the first correction and before execution of the second correction is completed for the entire image data such that an image processing system is achieved in which the processing is performed on blocks of image data and the memory is released block by block before the processing for the entire image data is completed for the benefit of having a cost-effective and enhanced performance of image processing without using a large capacity memory as taught by Tachibana at column 1, lines 30-60, and figures 6-9.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., before execution of both of a first correction according to a feature amount of the entire image data, and a second correction, different from the first correction, is completed for the entire image data) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).